

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 2-3.137 (added by Public Act 94-225) and 3-14.21 as follows:

6 (105 ILCS 5/2-3.137)

7 Sec. 2-3.137. Inspection and review of school facilities;
8 task force.

9 (a) The State Board of Education shall adopt rules for the
10 documentation of school plan reviews and inspections of school
11 facilities, including the responsible individual's signature.
12 Such documents shall be kept on file by the regional
13 superintendent of schools. The State Board of Education shall
14 also adopt rules for the qualifications of persons performing
15 the reviews and inspections, which must be consistent with the
16 recommendations in the task force's report issued to the
17 Governor and the General Assembly under subsection (b) of this
18 Section. Those qualifications shall include requirements for
19 training, education, and at least 2 years of relevant
20 experience.

21 (b) The State Board of Education shall convene a task force
22 for the purpose of reviewing the documents required under rules
23 adopted under subsection (a) of this Section and making
24 recommendations regarding training and accreditation of
25 individuals performing reviews or inspections required under
26 Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this Code,
27 including regional superintendents of schools and others
28 performing reviews or inspections under the authority of a
29 regional superintendent (such as consultants, municipalities,
30 and fire protection districts).

31 The task force shall consist of all of the following
32 members:

1 (1) The Executive Director of the Capital Development
2 Board or his or her designee and a staff representative of
3 the Division of Building Codes and Regulations.

4 (2) The State Superintendent of Education or his or her
5 designee.

6 (3) A person appointed by the State Board of Education.

7 (4) A person appointed by an organization representing
8 school administrators.

9 (5) A person appointed by an organization representing
10 suburban school administrators and school board members.

11 (6) A person appointed by an organization representing
12 architects.

13 (7) A person appointed by an organization representing
14 regional superintendents of schools.

15 (8) A person appointed by an organization representing
16 fire inspectors.

17 (9) A person appointed by an organization representing
18 Code administrators.

19 (10) A person appointed by an organization
20 representing plumbing inspectors.

21 (11) A person appointed by an organization that
22 represents both parents and teachers.

23 (12) A person appointed by an organization
24 representing municipal governments in the State.

25 (13) A person appointed by the State Fire Marshal from
26 his or her office.

27 (14) A person appointed by an organization
28 representing fire chiefs.

29 (15) The Director of Public Health or his or her
30 designee.

31 (16) A person appointed by an organization
32 representing structural engineers.

33 (17) A person appointed by an organization
34 representing professional engineers.

35 The task force shall issue a report of its findings to the
36 Governor and the General Assembly no later than January 1,

1 2006.

2 (Source: P.A. 94-225, eff. 7-14-05.)

3 (105 ILCS 5/3-14.21) (from Ch. 122, par. 3-14.21)

4 Sec. 3-14.21. Inspection of schools.

5 (a) The regional superintendent shall inspect and survey
6 all public schools under his or her supervision and notify the
7 board of education, or the trustees of schools in a district
8 with trustees, in writing before July 30, whether or not the
9 several schools in their district have been kept as required by
10 law, using forms provided by the State Board of Education which
11 are based on the Health/Life Safety Code for Public Schools
12 adopted under Section 2-3.12. The regional superintendent
13 shall report his or her findings to the State Board of
14 Education on forms provided by the State Board of Education.

15 (b) If the regional superintendent determines that a school
16 board has failed in a timely manner to correct urgent items
17 identified in a previous life-safety report completed under
18 Section 2-3.12 or as otherwise previously ordered by the
19 regional superintendent, the regional superintendent shall
20 order the school board to adopt and submit to the regional
21 superintendent a plan for the immediate correction of the
22 building violations. This plan shall be adopted following a
23 public hearing that is conducted by the school board on the
24 violations and the plan and that is preceded by at least 7
25 days' prior notice of the hearing published in a newspaper of
26 general circulation within the school district. If the regional
27 superintendent determines in the next annual inspection that
28 the plan has not been completed and that the violations have
29 not been corrected, the regional superintendent shall submit a
30 report to the State Board of Education with a recommendation
31 that the State Board withhold from payments of general State
32 aid due to the district an amount necessary to correct the
33 outstanding violations. The State Board, upon notice to the
34 school board and to the regional superintendent, shall consider
35 the report at a meeting of the State Board, and may order that

1 a sufficient amount of general State aid be withheld from
2 payments due to the district to correct the violations. This
3 amount shall be paid to the regional superintendent who shall
4 contract on behalf of the school board for the correction of
5 the outstanding violations.

6 (c) The Office of the State Fire Marshal or a qualified
7 fire official, as defined in Section 2-3.12 of this Code, to
8 whom the State Fire Marshal has delegated his or her authority
9 shall conduct an annual fire safety inspection of each school
10 building in this State. The State Fire Marshal or the fire
11 official shall coordinate its inspections with the regional
12 superintendent. The inspection shall be based on the fire
13 safety code authorized in Section 2-3.12 of this Code. Any
14 violations shall be reported in writing to the regional
15 superintendent and school board and shall reference the
16 specific code sections where a discrepancy has been identified
17 within 15 days after the inspection has been conducted. The
18 regional superintendent shall address those violations that
19 are not corrected in a timely manner pursuant to subsection (b)
20 of this Section. The inspection must be at no cost to the
21 school district.

22 (d) If a municipality or, in the case of an unincorporated
23 area, a county or, if applicable, a fire protection district
24 wishes to perform new construction inspections under the
25 jurisdiction of a regional superintendent, then the entity must
26 register this wish with the regional superintendent. These
27 inspections must be based on the building code authorized in
28 Section 2-3.12 of this Code. The inspections must be at no cost
29 to the school district.

30 (Source: P.A. 94-225, eff. 7-14-05.)